

RI Department of Environmental Management

OWTS Designer Licensing Review Panel

Minutes of Open Session of January 21, 2011

This meeting of the OWTS Designer Licensing Review Panel was conducted at 235 Promenade Street, in Conference Room 280C.

Members of the Panel Present:

Scott Moorehead, Chairman

Dan Cotta

Jim Tavares

Frank Postma

Members Absent:

Al DiOrio

Others present:

Russ Chateaufneuf, Chief, DEM Groundwater & Wetlands Protection

Brian Moore, DEM OWTS Program

Brian Sullivan, DEM OWTS Program

Lisa McGreavy, DEM Groundwater & Wetlands Protection

The meeting was called to order at 9:45 A.M.

Minutes of the December 4, 2009 Meeting Open Session:

D. Cotta made a motion to accept the minutes of the Open Session

portion of the December 4, 2009 meeting with no revisions. S. Moorehead seconded the motion. D. Cotta, S. Moorehead, and J. Tavares voted in favor of the motion. The motion passes.

R. Chateauneuf welcomed new member Frank Postma to the Panel who was selected by the department to fill the Class I position previously held by Dave Burnham. R. Chateauneuf recognized D. Burnham for his 10 year commitment serving on the Panel as well as those currently serving for extended periods. In response to previous discussions regarding panel membership and reappointments and consensus for more frequent membership turnover with staggered terms, the department revised the OWTS regulations last year to change panel terms from two year terms to up to 5 years terms. Next on the list to resign from the Panel based on tenure is Scott Moorehead who added that he would be willing to serve until a replacement for his position can be seated.

R. Chateauneuf: The department issued new OWTS rules in August 2010 to implement two new laws passed by the state legislature: the Cesspool Phase Out bill and the Tolling Act. Subsequently, the legislature passed a new Tolling Act extending the tolling period which the department is now in process of making rule amendments that are expected to go out for public notice shortly. There may be a third extension to the Tolling Act this summer which would require the department to undergo further rule amendments. Discussion ensued regarding how the department plans to implement the new

cesspool phase out regulations statewide noting that some communities that have already adopted more stringent cesspool ordinances would be exempt from the new state cesspool phase out requirements.

At approximately 10:14 A.M., in open call, it was announced that the meeting would proceed in Executive Session pursuant to R.I.G.L. 42-46-5 (a) 4, for discussion of conduct of specific designers. D. Cotta made a motion to enter into Executive session. F. Postma seconded the motion. D. Cotta, F. Postma, J. Tavares and S. Moorehead voted in favor of conducting business in Executive Session. The motion passes.

Continuation of Open Session

The open meeting was reconvened at 11:36 A.M.

F. Postma made a motion to reaffirm votes taken in Executive Session and seal the minutes of the Executive Session. J. Tavares seconded the motion. F. Postma, J. Tavares, S. Moorehead and D. Cotta voted in favor of the motion. The motion passes.

Votes taken while in Executive Session:

F. Postma made a motion to seal the minutes of the Executive

Session, adjourn the Executive Session, and reconvene the Open Session. D. Cotta seconded the motion. F. Postma, D. Cotta, J. Tavares, and S. Moorehead voted in favor of the motion. The motion passes.

D. Cotta inquired about when the department would require designers to submit Certificates of Conformance to the department when OWTS plans include stormwater raingardens and suggested that licensed designers should not be required to inspect and certify conformance of stormwater infiltration systems. S. Moorehead suggested that in these cases, designers could include notations on the COC form to notify the department of their concern. Chateauneuf recommended that staff review the matter for further discussion at the next meeting.

Adjourn

F. Postma made a motion to adjourn. J. Tavares seconded the motion. F. Postma, J. Tavares, D. Cotta, and S. Moorehead voted in favor of the motion. The motion passes.

The meeting adjourned at 11:40 A.M.